

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13901 - APPLICANT/OWNER: CORY, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13898) and Variance (VAR-14441) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/30/06, except as amended by conditions herein.
4. Building height shall not exceed three stories or 32 feet, whichever is less. The minimum distance between buildings shall be 10 feet.
5. The setbacks for this development shall be a minimum of 26 feet from the east property line, 20 feet from the south property line, 20 feet from the west property line, and 20 feet from the north property line.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: space 24" box trees at 20 feet on-center within perimeter landscape planters.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Compliance with this condition may require modification of the existing block wall on the south boundary to provide adequate throat depth.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits or eliminate the joint access.
17. Site development to comply with all applicable conditions of approval for ZON-13898 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Site Development Plan Review for a 56-unit apartment complex on 2.5 acres adjacent to the southwest corner of Upland Boulevard and Cory Place.

EXECUTIVE SUMMARY

The four, three-story apartment buildings proposed by this application will result in a development with a higher density than existing development in the area. Neighborhood traffic will be adversely impacted as the existing local roads will have to accommodate additional traffic. For these reasons along with the reduction in the amount of required open space requested through Variance (VAR-14441,) staff recommends denial.

BACKGROUND INFORMATION

A) Related Actions

- 08/04/93 The City Council struck from the agenda a Rezoning from R-1 to R-3 on the subject site (Z-0036-93) on a portion of the subject site. The Planning Commission recommended denial. Staff recommended approval.
- 07/13/06 The Planning Commission recommended denial of companion items GPA-13894, ZON-13898 and VAR-14441 concurrently with this application.
- 07/13/06 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #38/alj).

B) Pre-Application Meeting

- 05/12/06 Details of the proposal and necessary application were discussed at a pre-application meeting with the applicant.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held. However, the applicant held a neighborhood meeting for the related General Plan Amendment (GPA-13894) on June 15, 2006. Twelve persons attended and had the following comments:

- Project site is too small for 56 units
- Traffic using Cory Place
- General Plan should remain L (Low Density Residential)
- Not enough open space
- Not enough parking for site
- Site should be developed as single family homes

Site should be for sale and not rent.

DETAILS OF APPLICATION REQUEST

A) Site Area

Site Area: 2.5 Gross Acres

B) Existing Land Use

Subject Property	Vacant
North	Church
South	Retail Buildings
East	Single Family Dwellings
West	Multi-family Dwellings

C) Planned Land Use

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	SC (Service Commercial)
East	L (Low Density Residential)
West	M (Medium Density Residential)

D) Existing Zoning

Subject Property	R-1 (Single Family Residential)
North	R-1 (Single Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single Family Residential)
West	R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)

E) General Plan Compliance

The L (Low Density Residential) category of the Southeast Sector Plan permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreational facilities, schools and churches are allowed in this category. A companion application seeks to amend the general plan category to the M (Medium Density Residential) category.

INTERAGENCY ISSUES

No interagency issues exist.

PROJECT DESCRIPTION

The proposed development will result in the construction of 56 units in four buildings on 2.5 acres, for a density of 22.4 dwelling units per acre. Twenty-four foot wide, access aisles will be provided with access off Upland Boulevard and Cory Place. Open space, in the form of a landscaped areas and a central barbeque area, is provided but does not meet R-PD (Residential Planned Development) requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The applicant has requested the following standards.

Standards	Proposed
Min. Lot Size	NA
Min. Lot Width	NA
Min. Setbacks	
• East prop. line	26Feet
• South prop. line	20 Feet
• West prop. line	20 Feet
• North prop. line	20 Feet

Max. Lot Coverage	37%
Max. Building Height	3 Stories / 32 Feet
Trash Enclosure	Not shown
Loading Zone	NA
Mech. Equipment	Screened

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the east property line of the subject site:

- a) Proximity slope. With a building height of 32 feet, proximity slope requirements dictate a 96-foot setback from the property line of the adjacent residential zoning to the east. The site plan shows the buildings are setback 106 feet (includes right-of-way) from the property line of the R-1 zoning district to the east, in compliance with the requirements. Proximity slope requirements do not apply to the north property line; although the adjacent property is zoned residential, it is developed with a church use.
- b) Building setback. Requirements mandate that the setback for the proposal must meet to exceed the setback requirements of the adjacent residential zone. The proposal exceeds the adjacent setback of 20 feet.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Studio and one bedroom	16	1.25/unit plus 1 guest space/ 6 units	23	See below		See below
Two bedrooms	40	1.75/unit plus 1 guest space/ 6 units	77	See below		See below
Total			100	See below		See below
HC Breakdown			96	4	96	4

The proposal is providing the required amount of parking. Twenty-nine percent of the proposed spaces are listed as compact spaces. The Zoning Code requires that no more than 30% of spaces be designated for compact spaces.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	16 Trees	16 Trees
Buffer:	1 Tree/20 Linear Feet	51 Trees	37 Trees
• Min. Trees	15 Feet*		15 Feet 6 In.
• Min. Zone Width (east)	6 Feet		12 Feet 6 In.
• Min. Zone Width (west)	15 Feet*		15 Feet
• Min. Zone Width (north)	6 Feet		8 Feet
• Min. Zone Width (south)			
• Wall height			

* due to adjacent single family residential use

A condition has been included to require additional trees within the perimeter landscape planters.

- R-PD ONLY

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.5 acres	22.4	1.65	36.8 %	40,250 SF	30.7%	32,767

The applicant has submitted a related Variance (VAR-14441) to allow for a reduction in the required amount of open space.

B) General Analysis and Discussion

- Zoning

A Rezoning (ZON-13898) to a R-PD23 (Residential Planned Development – 23 Units per Acre) has been submitted concurrently with this item.

- Site Plan

The site plan depicts four buildings arranged on the 2.5-acre site. Perimeter landscape planters surround the site and centrally located open space, in the form of a gazebo and barbecue area, is shown between the buildings. Access is provided from Upland Boulevard and Cory Place.

- Waivers

There are no waivers associated with this application.

- Landscape Plan

Shoestring Acacia, Chitalpa and Chilean Mesquite trees will be used in the perimeter landscape planters and with open areas. Sun Gold Lantana, Purple Lantana and African Aloe will be used as groundcovers.

- Elevation

Elevations depict three-story buildings that include variation of the planar wall elements to add interest and assist in reducing the massing of the structures.

- Floor Plan

The first and second floors each contain 7 units. The mezzanine level contains decks for units on the second floor.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposal is more intense in terms of density and is not compatible with adjacent development.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposal is generally consistent with established design standards, but is deficient in the quantity of landscape material proposed for perimeter planters. A condition of approval is included to require additional plant material. It is also deficient in the amount of open space required for a R-PD development.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

The design of the site will adversely impact adjacent roadways and neighborhood traffic. Similar development to the west of the subject site, while less dense than this proposal, was designed so that traffic is directed to arterials and away from the neighborhood. The design of the subject site includes access points from Cory Place and Upland Boulevard.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building materials are typical of apartment and condominium buildings in the Las Vegas Valley. Landscaping materials are drought-tolerant and compatible with existing development.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

The building elevations are appealing; however they are out of scale with the existing single family residences in the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

There were approximately 14 persons in opposition at the PC hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT

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SENATE DISTRICT 11

NOTICES MAILED 204 by Planning Department

APPROVALS 0

PROTESTS 224